

EXHIBIT 10



United States of America
FEDERAL TRADE COMMISSION
BUREAU OF CONSUMER PROTECTION
600 PENNSYLVANIA AVENUE NW, CC-9528
WASHINGTON, DC 20580

Reenah L. Kim
Division of Enforcement
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November 30, 2022

VIA ELECTRONIC MAIL

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Daniel Koffmann, Esq. (danielkoffmann@quinnemanuel.com)
Quinn Emanuel Urquhart & Sullivan, LLP
1300 I Street NW, Suite 900
Washington, DC 20005

Re: *In the Matter of Twitter, Inc., Docket No. C-4316*

Dear Counsel:

Pursuant to Part XIII of the Federal Trade Commission's May 26, 2022, Order in the above-referenced matter ("Order"), we ask that Twitter submit by **December 14, 2022**, a true and accurate written report, sworn under penalty of perjury, that addresses the following requests, and produce the requested documents and other information:

1. Identify the individual(s) serving as Chief Executive Officer at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. For each:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Chief Executive Officer (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).

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- d. Identify the final decisionmaker for the selection of this individual to serve as Chief Executive Officer.
2. Identify the individual(s) serving as Chief Financial Officer at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. For each:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Chief Financial Officer (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as Chief Financial Officer.
3. Identify the individual(s) serving as General Counsel at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. For each:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as General Counsel (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as General Counsel.
4. Identify the individual(s) serving as Head of Legal, Policy, and Trust at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. For each:

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- a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Head of Legal, Policy, and Trust (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as Head of Legal, Policy, and Trust.
5. Identify the individual(s) serving as Chief Compliance Officer at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. For each:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Chief Compliance Officer (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as Chief Compliance Officer.
6. Identify the individual(s) serving as Chief Privacy Officer at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. To the extent this position was unfilled for any period of time, specify those periods as part of Your response. To the extent this position was dissolved or incorporated or reorganized into another job function, explain when and how this occurred. For each individual who held the position:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Chief Privacy Officer (e.g., provide their qualifications for the position).

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- c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as Chief Privacy Officer.
7. Identify the individual(s) serving as Chief Information Security Officer at Twitter since October 27, 2022, whether in an acting, temporary, or permanent capacity. To the extent more than one individual has held this position, specify the applicable time periods for each such individual. To the extent this position was unfilled for any period of time, specify those periods as part of Your response. To the extent this position was dissolved or incorporated or reorganized into another job function, explain when and how this occurred. For each individual who held the position:
 - a. State how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Explain why the individual was selected as Chief Information Security Officer (e.g., provide their qualifications for the position).
 - c. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had in implementing or complying with Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
 - d. Identify the final decisionmaker for the selection of this individual to serve as Chief Information Security Officer.
8. To the extent not addressed in response to the requests above, identify all officers and executives since October 27, 2022, with responsibility for Twitter's compliance with the Order, or who have or have had any involvement, participation, control, or authority to control Twitter's acts and practices relating to its compliance with the Order, including but not limited to the Company's design, establishment, and implementation of a comprehensive privacy and information security program as required by the Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).
9. Identify all positions and roles at Twitter that Elon Musk has held since October 27, 2022 (e.g., Chief Executive Officer, owner, member, director, officer), specifying the applicable time periods and describing the full authorities, duties, and responsibilities that each such position and role entailed.
10. Describe in detail any involvement, participation, control, or authority to control that Elon Musk has or has had with respect to Twitter's acts and practices relating to its compliance with the Order, including but not limited to the Company's design,

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establishment, and implementation of a comprehensive privacy and information security program as required by the Order (e.g., providing oversight or giving instructions to Twitter personnel relating to the Order).

11. Describe in detail any involvement, participation, control, or authority to control that Elon Musk had with respect to Twitter's acts and practices relating to its development and implementation of the new version of Twitter Blue that launched on November 9, 2022 (e.g., providing oversight or giving instructions to Twitter personnel relating to Twitter Blue).
12. Describe in detail any involvement, participation, control, or authority to control that Elon Musk had with respect to the terminations, layoffs, or reductions in force that took place at Twitter during the period from October 27, 2022, to the present (e.g., providing oversight or giving instructions to Twitter personnel regarding the terminations/reductions).
13. Describe in detail any involvement, participation, control, or authority to control that Elon Musk had with respect to Twitter's privacy, information security, or data protection practices since October 27, 2022 (e.g., providing oversight or giving instructions to Twitter personnel regarding such practices), and describe in detail any changes Musk has made or implemented (or directed to be made or implemented) to Twitter's privacy, information security, or data protection practices since October 27, 2022.
14. State whether the Company has reduced the internal budget or other resources for any privacy, information security, data protection, or risk management functions, or for any other projects or programs relating to the comprehensive privacy and information security program mandated by the Order (including but not limited to the independent third-party assessor). If so, specify what the reduction was and who the final decisionmaker was for that reduction.
15. State whether, since October 27, 2022, Twitter has eliminated, truncated, reduced, or changed the nature of any of its privacy or security reviews, risk assessments, or software testing processes (including but not limited to Software Development lifecycle, Data Governance Committee reviews, the internal "Flyaway" review process, or a "production readiness" review). If so, specify what the changes were and explain whether You have replaced, or plan to replace the functionalities of those reviews, assessments, and processes.
16. Identify all Twitter personnel who report directly to Elon Musk. For each:
 - a. State the individual's job position and function, and state how long the individual worked at Twitter and in what capacity (i.e., describe other positions the individual previously held at the Company).
 - b. Describe in detail the individual's job duties, roles, and responsibilities, and any involvement, participation, control, or authority to control they have or have had

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in implementing or complying with Order (e.g., providing oversight or giving instructions to other Twitter personnel relating to the Order).

17. Produce all communications (including but not limited to emails, memos, and Slack communications) relating to Elon Musk, including any communications sent to any Twitter personnel by or at the direction of, or received by, Musk since October 27, 2022, as well as all other communications discussing communications, instructions, or directives from Musk. For any communications You¹ withhold or redact based on a privilege You seek to assert, submit a detailed privilege log providing the basis for each such claim.
18. In Your November 25, 2022, response to the FTC's November 10, 2022, demand letters, You provided a summary of resignations and terminations at Twitter that occurred between October 27, 2022 and November 19, 2022 at 8 p.m. PST. Please provide an update on any additional resignations and terminations that have occurred since November 19, 2022, by submitting information that fully addresses questions 1, 2, and 3 of the FTC's November 10, 2022, letters.
19. For the summary of resignations and terminations at Twitter that You provided on pages 2-3 of Your November 25, 2022, response to the FTC's November 10, 2022, letters, explain what the parenthetical percentage figures represent, and clarify whether the percentages You provided reflect reductions as a percentage of total headcount in each department (e.g., resignations + terminations/reductions in force within Bluebird accounted for 81% of the total headcount in Bluebird during the October 27-November 19 period) or as a percentage of the Company's total workforce.
 - a. To the extent You have not already done so, state the total number of employees and contractors that to date were terminated, as a percentage of the Company's total workforce, as sought by request 1 of the November 10 letter.
 - b. To the extent You have not already done so, state the total number of employees and contractors that to date resigned, as a percentage of the Company's total workforce, as sought by request 1 of the November 10 letter.
 - c. To the extent You have not already done so, state the total number of employees and contractors that to date were terminated in each department as a percentage of total headcount in that particular department, as sought by request 1.b of the November 10 letter.
 - d. To the extent You have not already done so, state the total number of employees and contractors that to date resigned in each department as a percentage of total

¹ For purposes of these requests, "You" and "Your" shall mean Twitter, Inc., its successors and assigns, and any business it controls directly or indirectly, and all directors, officers, members, employees, agents, consultants, and other persons working for or on behalf of the foregoing.

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headcount in that particular department, as sought by request 1.b of the November 10 letter.

20. State how many of the employees and contingent workers who were terminated since October 27, 2022, held responsibilities relating to Twitter's compliance with the Order, including any personnel with responsibilities for establishing, implementing, or maintaining the comprehensive privacy and information security program mandated under the Order.
21. Provide a list of current personnel with responsibilities for Twitter's compliance with the Order, including any personnel with responsibilities for establishing, implementing, or maintaining the comprehensive privacy and information security program mandated under the Order. As part of Your response, specify each person's job position, function, team, and department.
22. Explain the differences between the Bluebird, Goldbird, and Redbird departments.
23. For each of the following job functions in the identified departments, specify the number of terminated and resigned personnel that held each function (e.g., Bluebird > IT Apps Engineering: 5 resigned + 6 terminated) and describe in detail what job duties and responsibilities the former personnel performed. As part of Your response, specify whether any of those former personnel held management or leadership responsibilities, and state whether any held responsibilities relating to information or data security, privacy, or data protection:
 - a. Bluebird
 - 1) Business Operations
 - 2) Data Analytics
 - 3) Data Science
 - 4) Intern
 - 5) IT Apps
 - 6) Engineering
 - 7) IT Business Systems Analysis
 - 8) IT Product Management
 - 9) Product Design
 - 10) Product Management
 - 11) Project Management (Non-Tech)
 - 12) Software Engineering
 - 13) Technical Program Management
 - 14) UI/UX Research

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15) User Services

b. Goldbird

- 1) Business Operations
- 2) Data Analytics
- 3) Data Science
- 4) Developer Relations
- 5) Intern
- 6) Product Design
- 7) Product Management
- 8) Site Reliability Engineering
- 9) Software Engineering
- 10) Technical Program Management
- 11) UI/UX Research

c. Counsel

- 1) Business Operations
- 2) Corporate Security
- 3) Data Science
- 4) IT Business Systems Analysis
- 5) Legal Counsel
- 6) Legal Operations
- 7) Policy QA
- 8) Project Management (Non-Tech)
- 9) Public Policy
- 10) SaaS Systems
- 11) Site Integrity
- 12) Technical Program Management
- 13) Threat Intelligence
- 14) Trust & Safety

d. Customers Organization

- 1) Business Operations
- 2) Data Analytics
- 3) Data Science

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- 4) Developer Relations
- 5) Project Management (Non-Tech)
- 6) SMB
- 7) Software Engineering
- 8) Technical Program Management
- 9) Twitter Client Solutions (TCS)

e. People Team

- 1) Business Operations
- 2) HRBP
- 3) HRIS & Analytics
- 4) Software Engineering
- 5) Technical Program Management

f. Redbird

- 1) Applications Quality
- 2) Business Operations
- 3) Data Analytics
- 4) Data Science
- 5) Database Admin/Eng
- 6) Developer Relations
- 7) Engineering Technical Program Management
- 8) Enterprise Data Management
- 9) Hardware Engineering
- 10) Information Security
- 11) IT Administration
- 12) IT Apps Engineering
- 13) IT Business Systems Analysis
- 14) IT Product Management
- 15) IT Support
- 16) IT Systems Engineering
- 17) Network Engineering
- 18) Product Design
- 19) Product Management

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- 20) Project Management (Non-Tech)
- 21) Reliability Engineering
- 22) Site Operations
- 23) Site Reliability Engineering
- 24) Software Engineering
- 25) Systems Quality
- 26) Technical Program Management
- 27) Technical Writing
- 28) UI/UX Research

24. State whether any of the departments identified in Your November 25 response to the FTC's November 10 letters correspond to or contain the following teams at Twitter and, if so, explain how they relate:

- Application Security Team;
- Core Services;
- Corporate Security;
- Data Management Team;
- Datacenter Engineering;
- Detection and Response Team (DART);
- Engineering;
- Engineering Product Foundations team;
- Enterprise Security;
- Foundational Platform Services;
- Gizmoduck Team;
- Hadoop Development;
- Hadoop Team;
- Internal Audit;
- IT;
- Legal Privacy & Data Protection Team;
- Mission Critical Engineering;
- Network Engineering;
- Platform Security;

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- Privacy and Data Protection Team;
 - Security Architecture and Engineering Team;
 - Security Governance – Risk and Compliance Team;
 - Security Risk Management;
 - SRE (Site Reliability Engineering);
 - Twitter Command Center;
 - Twitter Services.²
25. Identify all persons who have held the role of Senior Internal Audit Manager at Twitter since September 2019 who interfaced with Twitter’s assessor (Ernst and Young (EY)) regarding the assessment that EY prepared pursuant to the 2011 FTC order and, for each, state whether that person currently works at Twitter. If any such person no longer works at the Company, provide their date of separation.
26. Describe in detail the purpose and function of the Data Governance Committee at Twitter. Identify all members of the Data Governance Committee during the period from June 6, 2022, to the present and, for each, indicate whether the person still works at Twitter. If any such person no longer works at the Company, provide their date of separation.
27. In connection with Your November 25, 2022, response to requests 4, 5, and 6 of the FTC’s November 10, 2022, demand, You indicated that You would be producing non-privileged, responsive documents between October 27, 2022 and November 25, 2022 (the date of the letter). We ask that you provide updated, continuing productions on a rolling basis that include non-privileged responsive materials beyond November 25, 2022 to the present.

* * * * *

Please have a responsible corporate officer or manager of Twitter certify under penalty of perjury that the written report(s) submitted in response to this letter is complete and accurate, and that the report(s) and accompanying document production(s) represent all information responsive to the FTC’s requests.

All information provided in response to these requests must be submitted in an electronic format agreed upon by a Commission representative in writing prior to the submission. So that the FTC has the capability of reading and using the data, please ensure that the submission of Electronically Stored Information (“ESI”) complies with the Production Instructions provided to you in connection with a prior demand letter, and contact us in advance to arrange for the

² See Independent Assessor EY’s Report on Twitter’s Information Security Program for the period from September 13, 2019, to September 12, 2021, at Appendix B.

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electronic submission of materials via SFTP. Please send an electronic copy of your responses to the Commission at DEBrief@ftc.gov, with copies to rkim1@ftc.gov.

Finally, Twitter should suspend any routine procedures for document destruction and take other measures to preserve all records relating to the matters addressed in this letter, including electronically stored records that are stored on backup media and all physical records stored offsite, in a form that includes the complete record.

Sincerely,

A handwritten signature in blue ink, appearing to read "Reenah L. Kim". The signature is fluid and cursive, with the first name "Reenah" being more prominent and the last name "Kim" following in a similar style.

Reenah L. Kim

cc: Lisa K. Hsiao, USDOJ
Zachary L. Cowan, USDOJ
Deborah S. Sohn, USDOJ